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21.09.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 13388 of 2022

**Deb Kumar Banerjee
-versus
The State of West Bengal & Ors.**

**Mr. Sankar Biswas,
Mr. Ejaz Khan.
...For the Petitioner.**

**Mr. Susanta Pal,
Mr. Ananda Dulal Sarkar.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the Municipality in spite of service.

The petitioner is a retired employee of Garulia Municipality.

He prays for a direction upon the respondent authorities to release his gratuity, arrear dues from the date of his joining and pension including arrear pension with effect from the date of his superannuation.

Learned advocate appearing for the petitioner submits that the petitioner is receiving provisional pension.

Learned advocate appearing for the State respondents denies the contention of the petitioner with regard to his entitlement to pension.

It appears that the representation filed by the petitioner is pending consideration.

In view of the facts stated hereinabove, the Director of Local Bodies, the respondent no. 2 herein is directed to consider the prayer of the petitioner for grant of terminal benefits in accordance with law.

Learned advocate appearing for the petitioner is directed to forward to the aforesaid respondent copy of the documents in support of his claim for grant of pension.

The aforesaid authority shall pass a reasoned order within a period of ten weeks from the date of communication of a copy of this order and communicate the same to the petitioner immediately thereafter.

If the aforesaid respondent is of the opinion that the petitioner will be entitled to receive the claim, then necessary consequential relief be accorded to him.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)